

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

07-CR-149-A

TIMOTHY DEAN PETERSON,

Defendant.

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**STATEMENT OF THE GOVERNMENT WITH RESPECT  
TO SENTENCING FACTORS**

**PLEASE TAKE NOTICE**, that the government hereby adopts all findings of the Pre-sentence Report with respect to sentencing factors in this action.

Should the defendant present any letters of support or sentencing statement to the Court, the United States will move to strike the items from the record if this office is not provided with copies at least three business days prior to sentencing.

if applicable, until such time as the defendant pays the special assessment to the Clerk of the Court.

DATED: Buffalo, New York, August 21, 2007.

Respectfully submitted,

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***S/ JAMES P. KENNEDY, JR.***

BY:

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JAMES P. KENNEDY, JR.  
Assistant U.S. Attorney

TO: Marianne Mariano, Esq.  
Assistant Federal Public Defender

United States Probation Department  
Attn: Kathleen A. Horvatits  
U.S. Probation Officer

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 22, 2007 I electronically filed the foregoing with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants on this case:

1. Marianne Mariano, Esq.

I hereby certify that I have mailed the foregoing, by the United States Postal Service, to the following non-CM/ECF participants:

1. Kathleen A. Horvatits  
U.S. Probation Officer

/s/ JEAN L. BOWMAN